

FINAL DECISION DOCUMENTATION and DECISION RATIONALE

**Rusty Saw Timber Harvest and Reforestation Plan**

Environmental Assessment Number OR080-99-08

Tract No. 01- 504

USDI - Bureau of Land Management

Oregon State Office, Salem District, Cascades Resource Area

Section 11; Township 3 South, Range 5 East; Willamette Meridian

Clackamas County, Oregon

**I. BACKGROUND**

In 1998, an IDT (interdisciplinary team) analyzed approximately 290 acres managed by the Cascades Resource Area, Salem District, BLM (Bureau of Land Management) for commercial thinning or partial harvest. The areas analyzed were located within section 11; Township 3 South, Range 5 East; Willamette Meridian; within the matrix and riparian land use allocations of the Eagle Creek Watershed. An environmental analysis was conducted and documented in the Rusty Saw Environmental Assessment Rusty Saw Environmental Assessment (EA) Number OR080-99-08.

The commercial thinning stands analyzed contain mixed western hemlock and Douglas-fir stands that are 50-55 years old. They range from very dense hemlock dominated stands to more clumpy Douglas-fir dominated stands. Clumps of red alder especially along old road beds are common. These stands are in the stem exclusion stage, with uniform canopy heights and very little understory. (EA pp. 12).

Approximately 108 acres were eliminated from further consideration based on field reconnaissance (EA pp. 7). The Environmental Assessment documented a proposal to harvest approximately 176 acres within the Matrix lands (commercial thinning) and to thin approximately 6 acres in a Riparian Reserve. The proposed action described in the EA also includes topping trees to create snag habitat and to make the trees more wind firm. Road renovation is also part of the proposal. There would be no new road construction or road decommissioning, but approximately 8,000 feet of road would be blocked or gated.

A Finding of No Significant Impact was signed on May 27, 1999. and the EA and FONSI were made available for public review on June 1, 1999.

Since the release of the EA, the interdisciplinary team has identified the need to update some

information due to the results from component 2 (“Survey and Manage”) surveys, and further field reconnaissance. These changes to the proposed action are described in the following section which also describes any changes to the analysis and determination of effects as presented in the May 28, 1999 EA.

## II. MODIFICATIONS TO THE PROPOSED ACTION/ CHANGES TO AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

### A. Proposed action

1. **Unit acres:** Unit acres have been finalized based on unit traverse and sale layout. Acres were reduced after identifying additional “Survey and Manage” reserves based on the component 2 (Survey and Manage) survey results. The increase in volume is due to greater than anticipated volume per acre yield determined through a plot cruise of the sale area. Table 1a shows the changes in unit numbers, acres and volume.

Table 1a: Changes in Unit Numbers, Acres and Volume							
Unit Numbers		Unit Acres			Volume (CCF)		
Decision	EA	Decision	EA	Change	Decision	EA	Change
1	A	62	86	-24	1322	1032	290
2	B	71	40	-5	1806	484	956
	C		30			330	
	RR		6			36	
Dropped	D	0	20	-20	0	206	-206
Total		133	182	-49	3128	2088	1040

2. **Yarding:** Estimates of yarding by type, as identified in the EA, were based upon preliminary surveys. More detailed survey and analysis indicates that the actual acres of yarding, by type, are described in Table 1b.

<b>Table 1b: Changes by Logging System</b>			
Yarding Type	EA	Decision	Change
Ground Based	121 Acres	120 Acres	-1
Cable Yarded	61 Acres	13 Acres	-48
Total	182 Acres	133 Acres	-49

3. **Road Work** - The road work described in the EA was based on preliminary estimates. Actual surveys reveal somewhat different road lengths. These differences are shown in Table 2.

<b>Table 2: Changes to Road Work</b>			
Activity	EA Road Length	Actual Road Length	Change
Renovation	8,000 feet	13,255 feet	+ 5,255 feet
Improvement	0 feet	200 feet	+ 200 feet
Closing	8000 feet	8210 feet	+ 210 feet

Road Renovation is defined as work required to return the road to it's original designed condition. This work consists largely of trimming vegetation from cut and embankment slopes, cleaning and shaping drainage ditches and structures, and grading the road surface. The change in road renovation is due to the addition of road segments that are currently open and drivable. The EA had anticipated renovation only on the roads where surrounding vegetation had rendered the roads undrivable.

Road Improvement is defined as work that changes a road from the original design. The additional road improvement consists of the alteration of two road intersections to allow log trucks to haul out a shorter route.

Road Closing is defined as barricading the approach to a road and waterbarring the running surface. No gates will be installed.

#### 4. **Changes to the Project Design Features/Mitigation Measures**

- a. Tree topping will be accomplished by girdling or chainsaw cutting only. Blasting will not be used.
- b. In addition to compacted areas around landings, portions of designated tractor skid roads will be ripped.

- c. All road work, yarding and hauling operations will be restricted to dry soil conditions (generally between July 1 and November 1).

## **B. Changes to the Affected Environment**

Three surveys of the proposed project area for Larch Mtn. Salamanders, a survey strategy 2 species, were conducted between March and July of 2001 in accordance with prescribed protocols. No specimens were found. There were no additional changes to those components of the Affected Environment as described in the Rusty Saw EA.

## **C. Changes to the Environmental Consequences**

- a. **Vegetation:** There would be a loss of less than one acre of fragmented mature forest habitat resulting from the increase of the 200 feet of road improvement.
- b. **Soil and Water:** A decrease of 49 acres of area to be thinned would result in a reduction in compaction and sedimentation. The increase of 5,255 feet of road renovation and 200 feet of road improvement should only result in a slight short-term increase in sedimentation since all road work, yarding and hauling operations are restricted to dry soil conditions occurring between July 1 and November 1. Long-term impacts will also be reduced with the closing of an additional 210 feet of road renovation following use.
- c. **Wildlife:** Based upon the fact that this project will not remove spotted owl dispersal habitat, there is no nesting habitat in the project vicinity and a seasonal restriction was imposed on all activities between March 1 and July 1, the likelihood of owl disturbance is remote.

## **III. DECISION**

The decision to be made by the Cascades Resource Area Manager is whether or not to prepare an environmental impact statement, and whether to approve the Rusty Saw timber sale as proposed, not at all, or to some other extent.

Based on site-specific analysis in the Environmental Assessment, the supporting project record, management recommendations contained in the Eagle Creek Watershed Analysis (1995), as well as the management direction contained in the RMP (*Salem District Resource Management Plan*), dated May, 1995, I have decided to implement Alternative A of the Rusty Saw Environmental Assessment along with the Project Design Features and Mitigation Measures listed (EA pp. 5-11) with the modifications in Section II, above, hereafter referred to as the “selected action ” (see attached map and Table 3 in Appendix A). The following is a summary of this decision:

1. **Commercial thinning** of approximately 133 acres of Matrix and Riparian lands from 2 units (Units 1 and 2). It is expected that this will yield approximately 3128 hundred cubic feet (CCF) in the following land use allocations.
  - a. 127 acres of Matrix lands from 2 units (Units 1 and 2)
  - b. 6 acres of Riparian lands (Unit 2).
2. **Tree Topping:** Up to 400 trees per acre would be topped within proposed units, adjacent stands, and riparian reserves to provide structural diversity, wildlife habitat and to improve wind firmness.
3. **Road Renovation:** Road maintenance or renovation (brushing, blading, or rocking ) would occur on approximately 13,255 feet of existing road.
4. **Road Closing:** Approximately 8,210 feet of existing roads would be blocked. Roads required to access private lands would not be closed.
5. **Road Improvement:** Approximately 200 feet of road improvement consisting of the alteration of two road intersections to allow log trucks to haul out a shorter route.
6. **Compliance with Direction**

The selected action is consistent with applicable land use plans, policies, and programs (EA, pp. 4).

- a. The selected action is in conformance with the following documents which provide the legal framework, standards, and guidelines for management of BLM lands in the Cascades Resource Area:
  - *Salem District Resource Management Plan (May 12, 1995)*
  - *Record of Decision (ROD) for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl (April, 1994)*
  - *Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional Forest Related Species Within the Range of the Northern Spotted Owl (SEIS, February, 1994)*
  - *Western Oregon Program-Management of Competing Vegetation Final Environmental Impact Statement (VMFEIS, February 1989) and the Western Oregon Program-Management of Competing Vegetation Record of Decision (August 1992).*
  - *Environmental Assessment to Change the Implementation Schedule for Survey and Manage and Protection Buffer Species (October 7, 1998)*
  - *Plan Maintenance Documentation: Decision to Delay the Effective Date for Surveying 7 "Survey and Manage" and Protection Buffer Species (March 2000)*
  - *Record of Decision and Standards and Guidelines for Amendments to the Survey*

*and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines (January 2001).*

All of the above documents may be reviewed at the BLM Salem District office.

- b. Survey and Manage: The Component 2 surveys for this project are also in compliance with the Stipulation for Order Dismissing the Action (August 2, 1999) in the ONRC Action lawsuit<sup>1</sup>. Survey and Manage Mollusk species were surveyed for according to prescribed protocol and 5 species were found in the project area. All sightings were either excluded from the final harvest area of buffered. Survey and Manage botanical species were surveyed for according to prescribed protocol and 8 species were found. All 8 were protected with buffers. Red tree vole transects were run through the harvest area and two trees were climbed. No nests were found.
- c. Monitoring activities related to this sale will be done as described in Appendix J of the RMP (May, 1995).

#### **IV. DECISION RATIONALE**

Considering public comment, the content of the EA and supporting project record, the management recommendations contained in the Eagle Creek Watershed Analysis, and the management direction contained in the RMP, I have decided to implement the selected action as described above. My rationale for this decision follows:

The selected action addresses the identified purpose and need for action in that it will meet the need for forest products and forest habitat as described in the *Salem District Resource Management Plan* (RMP, 1995, pp. 1 and 2) . The proposal would also provide for retention of important ecological components within the forest management area. (EA pp. 1). Also, the selected action provides social and economic benefits to local communities through the supply of approximately 3,128 hundred cubic feet of merchantable timber to local mills and some contract work. In addition, the thinning prescription would insure maximum utilization of the site, allow for varied stand densities and maintain the existing species diversity of the upland area of the units.

The “no action” alternative was not selected because it does not address the purpose and need for action.

#### **V. PUBLIC INVOLVEMENT/ CONSULTATION/COORDINATION**

##### **1. Scoping**

---

<sup>1</sup> Oregon Natural Resources Council v. United States Forest Service and Bureau of Land Management, Civil No. 98-0942WD

A description of the proposal was included in the Salem Bureau of Land Management *Project Update* which is mailed to more than 900 individuals and organizations four times a year.

On November 3, 1998, the proposal was mailed to the forestry sub-committee of the Clackamas River Watershed Council to inform them of our plans and solicit their input.

A letter asking for scoping input on the proposal was mailed on November 4, 1998 to fourteen adjacent landowners, individuals and organizations who have expressed an interest in management activities in the resource area as a whole or in this drainage. Letters were also sent to the Cities of Oregon City, Estacada and Lake Oswego, the Clackamas County Board of Commissioners, Oregon Department of Forestry, Oregon Department of Fish and Wildlife, the Mt. Hood National Forest, the U. S. Fish & Wildlife Service, the National Marine Fisheries Service, the Environmental Protection Agency, the Confederated Tribes of Warm Springs and the Confederated Tribes of Grande Ronde.

## **2. Comment Period**

The EA was made available for public review for thirty days commencing June 1, 1999. Copies of the EA were sent to the Confederated Tribes of Grande Ronde, the Confederated Tribes of Warm Springs; the U. S. Forest Service; Environmental Protection Agency; National Marine Fisheries Service; Fish and Wildlife Service; the State of Oregon's Department of Fish and Wildlife and Department of Forestry; the Clackamas County Board of Commissioners; the Cities of Estacada, Oregon City, and Lake Oswego, two water providers, one adjacent land owner, six interest groups and five individuals.

## **3. Comments**

Written comments were received from three organizations and two individuals and were considered for modification of the proposed action or performing additional analysis. Copies of the comments are available in the Rusty Saw EA file in this office.

Two of the major concerns expressed by those who commented on the Rusty Saw EA and our responses are as follows :

- a. *The sale does not follow the recommendations of the Eagle Creek Watershed Analysis (WA) because the WA recommends that no more than 10.3 MMBF be harvested from Federal lands in the watershed every decade and the current USFS Eagle timber sale is scheduled to cut 28.1 MMBF by itself.*

**Response:** The Eagle Creek WA, prepared by the USFS, provided a large scale analysis (>50,000 acres) of the probable sale quantity for all federal lands within the watershed. Due to this large scale analysis, several assumptions needed to be made. One assumption was that there would be an average of 46 MMBF of merchantable material per acre available for harvest. More accurate measurements revealed that there was actually 120 to 150 MMBF of merchantable material per acre present on the Eagle timber sale project area. Another assumption was that the estimated probable sale quantity was based on 200 acres of regeneration harvest every decade. Based upon public input, no regeneration harvest is occurring on the Eagle timber sale project area, instead the majority of the harvest is thinning. The purpose of the probable sale quantity analysis in the Eagle Creek WA was to compare the harvest level estimates in the Northwest Forest Plan to the combined harvest estimates for all the watershed analysis' for the entire Mt. Hood NF. It was not the intent of the WA to set an upper harvest limit for the watershed.

- b. *The existing road that is scheduled for renovation is not in use and has not been for some time. It is revegetated so the renovation is akin to building new road. With a road density of 6.6 miles per square mile, which is considered high, these roads should not be renovated for use.*

**Response:** Of the 13,255 feet of existing road included for renovation under this Decision Record, 6,550 feet are currently overgrown and not driveable. The remaining 6,705 feet are driveable and are currently in use. On all 13,255 feet, the running surface and drainage structures are intact. What is needed on the 6,550 feet is to brush the shoulders to improve visibility and increase useable road width and on all roads blade the running surface to remove irregularities and clean ditches and culvert inlets to maintain drainage. The 6,550 feet of existing road were constructed approximately 20 years ago. Following this project, they will be blocked and waterbarred and left to revegetate naturally as they have done in the past until they are needed for a final harvest entry in approximately 20 years. Additionally, since the grades of these roads are gentle and no water courses are crossed, the potential for sedimentation through runoff is slight. Although we can not control road construction activities on other ownerships within the Eagle Creek Watershed, there are no plans to increase miles of existing roads on Bureau lands. In fact, another timber harvest project in the watershed is scheduled to reduce the amount of existing roads by 4,445 feet during the summer of 2001.



#### 4. Section 7 Consultation

The Rusty Saw timber sale was submitted for informal consultation with the U. S. National Marine Fisheries Service and on August 6, 1999, they concurred that the Rusty Saw timber sale was not likely to adversely affect any listed species of fish. The U.S. Fish and Wildlife

Service was also informally consulted with and on May 29, 2001, they found that the sale was not likely to adversely affect spotted owls (Log No. 1-7-01-I-606).

## VI. CONCLUSION

I have determined that change to the Finding of No Significant Impact (FONSI) for the Rusty Saw Timber Sale is not necessary for these reasons:

The existing EA for the Rusty Saw Timber Sale, along with additional information contained in this document, fully covers the project as modified by the proposed mitigation and adjustments required by the surveys conducted for Survey and Manage species, and Section 7 consultation. The action as amended is within the scope of the alternatives identified in the original EA, and the environmental impacts are within those described in the original EA and are less than or the same as those anticipated for the proposed action in that assessment.

There are no significant new circumstances or facts relevant to environmental concerns and bearing on the modification to the proposed action or its impacts which were not addressed in the EA. The EA anticipated protecting Survey and Manage species in accordance with the Record of Decision for the Northwest Forest Plan and the Salem District.

The surveys conducted for this sale complete the survey requirements for this sale as amended by the *Plan Maintenance Documentation: Decision to Delay the Effective Date for Surveying 7 "Survey and Manage" and Protection Buffer Species*, which was approved March 13, 2000, and fulfills the Survey and Manage S&G commitment identified in the EA.

### Protests

In accordance with Forest Management Regulations at 43 CFR 5003.2, the decision for this timber sale will not become effective or be open to formal protest until the Notice of Sale is published "in a newspaper of general circulation in the area where the lands affected by the decision are located". Protests of this sale must be filed within 15 days of the first publication of the notice. For this project, the Notice of Sale will be published in the Sandy Post on or around August 3, 2001. The planned sale date is August 29, 2001.

## Contact Person

For additional information concerning this decision or the BLM protest process, contact Randy Herrin (503) 315-5924 or Bob Hershey (503)315-5931, BLM Salem District Office, 1717 Fabry SE , Salem, Oregon 97306.

Approved by: Richard C. Prather  
Dick Prather  
Cascades Area Manager

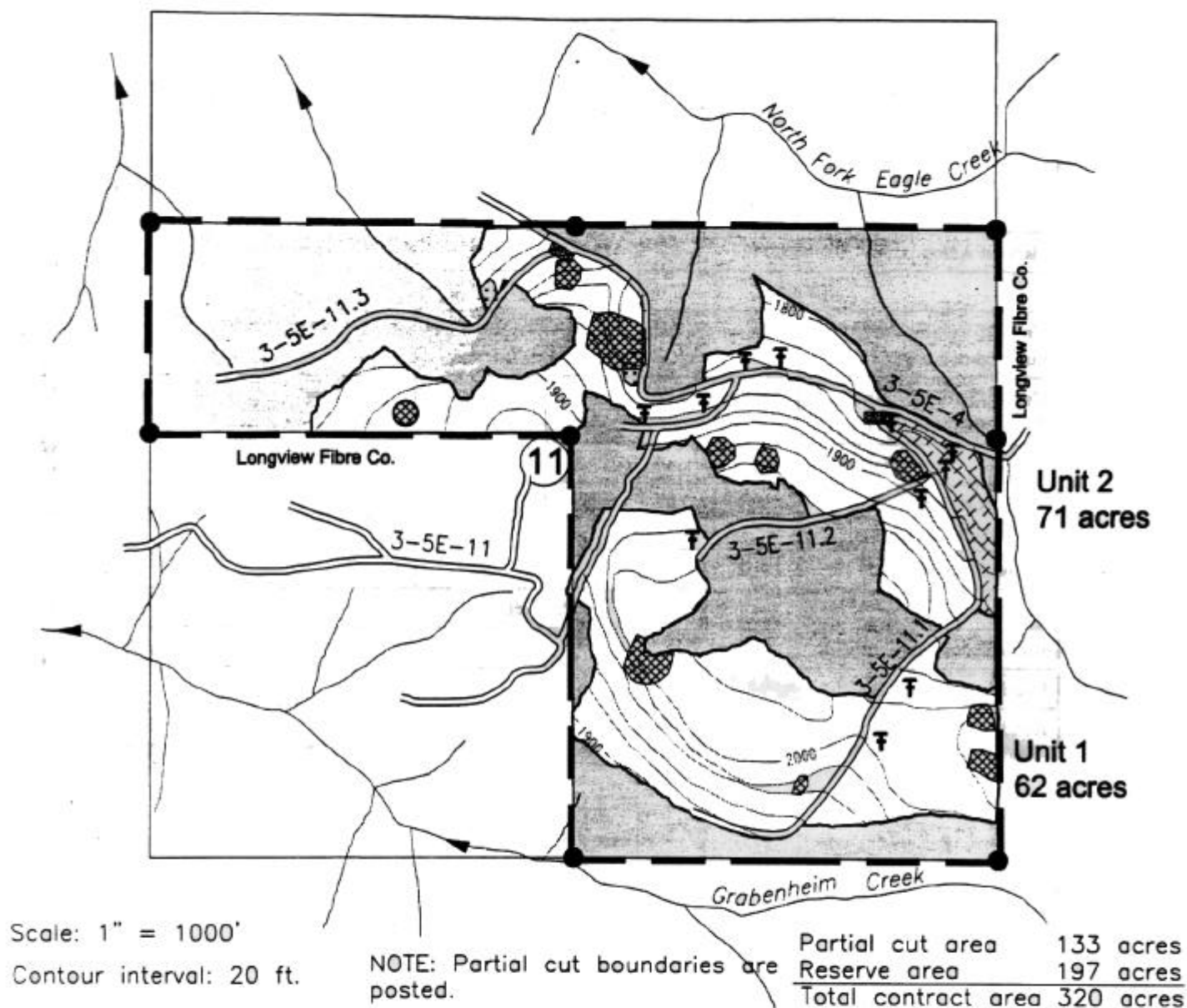
23 JUL 2001  
Date

APPENDIX A: Project Design Features for the Selected Action



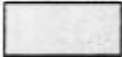






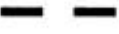


Table 3: Project Design Features for the Selected Action				
Management Activity	Unit 1 (EA Unit A)	Unit 2 (EA Unit B, C, RR)		Totals
Harvest Method	Commercial Thinning	Commercial Thinning		
	Matrix	Matrix	Riparian	
Unit Acres				
Harvest Acres	62	65	6	133
Volume				
Cruised Volume (ccf - hundred cubic feet)	1322	1653	153	3128
Cruised Volume (mbf - thousand board feet)	733	859	79	1671
Logging Systems Acres				
Cable (One end or Partial Suspension)	0	10	3	13
Ground Based	62	55	3	120
Roads (feet)				
Road Renovation				13255
Road Improvement				200
Road Closing				8210

United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
TIMBER SALE CONTRACT MAP - Contract No. OR080-TS00-504  
T. 3 S., R. 5 E. Section 11, W.M. - SALEM DISTRICT - OREGON

Rusty Saw  
Tract 31-504  
**EXHIBIT A**



**LEGEND**

- |   |                                      |  |                                |
|---|--------------------------------------|--|--------------------------------|
|  | Partial cut area                     |   | Genetically superior tree      |
|  | Reserve area                         |  | Construct trench and dirt berm |
|  | Area to be cable yarded              |  | Existing road                  |
|  | Special yarding area                 |  | Stream                         |
|  | Green Tree Retention area - Reserved |  | Boundary - contract area       |
|   |                                      |  | Boundary - unit area           |
|   |                                      |   | Corner found                   |

July 10, 2000  
sternberg